

REMARKS

Applicants amend claim 1 and add new claims 31 and 32. Accordingly, claims 1, 21 and 23-32 are all the claims pending in the application. Newly added claims 31 and 32 are at least supported by paragraph [0033] of the original specification.

Claims 1, 21 and 23 are rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Onodera et al. (U.S. Publication No. 2001/0026531; hereinafter “Onodera”).

Claims 24, 25, 29 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Onodera in view of Morishima et al. (U.S. Patent No. 7,082,094; hereinafter “Morishima”).

Claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Onodera in view of Morishima in view of Anderson et al. (U.S. Patent No. 6,778,205; hereinafter “Anderson”).

Claims 27 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Onodera in view of Morishima and Anderson, and further in view of Eguchi et al. (U.S. Patent No. 5,473,154; hereinafter “Eguchi”).

Applicants traverse the rejection for at least the following reasons.

Independent claim 1

Claim 1 recites, *inter alia*, “the visual information recording layer is formed on a side opposite to the data recording layer, and the first recording layer information includes information indicating that the layer where the first recording layer exists is the visual information recording layer, visual information management information indicative of presence

or absence of record of visual information onto the visual information recording area, and the area information indicative of the recordable area of the visual information on the visual information recording area.” Applicants respectfully submit that Onodera does not teach or suggest these features of the claimed invention.

Onodera discloses providing an information recording and reproducing medium that includes an area for recording visual information. However, Onodera does not teach or suggest “visual information management information indicative of presence or absence of record of visual information onto the visual information recording area.” Specifically, in the cited portions of the reference, Onodera discloses a visible and a narrow ring shaped area of pit art 7 that is formed on the disc in advance. The shaped pit art 7 indicates the location of a program area 2a, which is located inside the ring shaped pit art 7, and further indicates an area in which visual information can be recorded (paragraph [0056] to [0059]). As such, the ring shaped pit art 7 only indicates the physical location **where** a program area 2a exists, and does not teach or suggest “visual information indicative of **presence or absence of record of visual information** onto the visual information recording area.” That is, even though Onodera appears to show where a program area 2a exists, it does not teach or suggest indicating the presence or absence of record of visual information.

Furthermore, Onodera only discloses that a manufacturer forms a ring shaped pit art 7 on an optical disc DSC when the manufacturer forms a visual label area 2b on the optical disc DSC (paragraph [0056]). On the other hand, according to the claimed invention, visual information management information indicative of presence or absence of record of visual information onto the

visual information recording area is recorded in a visual information recording area. Therefore, at least according to one natural effect of the above feature, the visual information can be recorded in a visual information recording area in a step-by-step manner, by using the visual information management information which indicates of presence or absence of record of visual information.

In view of the above, Applicants respectfully submit claim 1 is not anticipated by, or obvious over Reference Onodera. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 1.

Independent claim 24

Applicants respectfully submit that claim 24 recites features analogous to claim 1. Further, Morishima does not teach or suggest the above discussed features of claim 1 missing in Onodera. Therefore, Applicants respectfully submit that claim 24 is patentable over the cited combination of references.

Dependent claims 21, 23, and 25-30

Applicants respectfully submit that since claims 21, 23, and 25-30 depend from claim 1 or 24, and since Morishima, Anderson and Eguchi do not teach or suggest the above discussed features of claim 1 missing in Onodera, Applicants respectfully submit that claims 21, 23, and 25-30 are patentable at least by virtue of their dependency and the addition features recited therein.

New claims

Applicants respectfully submit that claims 31 and 32 depend from claim 1 and 24 respectively, and therefore are patentable at least by virtue of their dependency and the newly added features recited therein.

In addition, Applicants submit that the cited references, alone or in combination, do not teach or suggest “wherein in the visual information management area, visual information contents information that is indicative of the contents of visual information after the visual information has been recorded and that is indicative of information of an address at which the visual information has been recorded.” For instance, in paragraph [0059], Onodera states that “moreover, in those cases where special data such as address data or the like comprising information such as the location of the pit art 7 is prerecorded as part of the ring shaped pit art 7, —”.

As such, Onodera merely discloses the recording of address of a ring shaped pit art 7 itself, and does not teach or suggest “visual information contents information that is indicative of the contents of visual information after the visual information has been recorded and that is indicative of information of an address at which the visual information has been recorded.”

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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